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ADMINISTRATIVE AND FINANCIAL MATTERS

INSTITUTIONAL LINKAGE OF THE UNFCCC SECRETARIAT TO THE UNITED NATIONS

Note by the Executive Secretary

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I. INTRODUCTION

A. Mandate

1. At its fifth session, the Conference of the Parties(COP) by its decision 22/CP.5,[1] *inter alia*, approved the continuation of the institutional linkage of the Convention secretariat to the United Nations, subject to review not later than 31 December 2001, in consultation with the Secretary-General, with a view to making such modifications as may be considered desirable by both parties.

2. Similarly, the United Nations General Assembly, by its resolution 54/222 of 22 December 1999, *inter alia*, also approved the continuation of the institutional linkage of the Convention secretariat to the United Nations, as advised by the Secretary-General and approved by the Conference of the Parties at its fifth session and further requested the Secretary-General to review the functioning of this institutional linkage no later than 31 December 2001, in consultation with the Conference of the Parties to the United Nations Framework Convention on Climate Change, with a view to making such modifications as may be considered desirable by both parties, and to report thereon to the General Assembly.

B. Scope of the note

3. The present note provides a brief report on the institutional linkage of the Convention secretariat to the United Nations and how it has worked out to date. It has been prepared by the secretariat in consultation with the relevant offices of the United Nations. It concludes with a recommendation by the Secretary-General of the United Nations.

C. Possible action by the Subsidiary Body of Implementation

4. In the light of the recommendation by the Secretary-General, the Executive Secretary recommends that the Subsidiary Body for Implementation advise the Conference of the Parties at the second part of its sixth session to approve the continuation of the current institutional linkage of the Convention secretariat to the United Nations and related administrative arrangements for a further five year period, to be reviewed not later than 31 December 2006.

II. INSTITUTIONAL LINKAGE

5. It will be recalled, in this connection, that the institutional linkage of the Convention secretariat to the United Nations was initially approved by the Conference of the Parties by decision 14/CP.1, whereby it decided that the Convention secretariat should be institutionally linked to the United Nations, while not being fully integrated in the work programme and management structure of any particular department or programme. In terms of that decision, the COP also took note of, and provisionally accepted, the arrangements proposed by the Secretary-General of the United Nations for administrative support to the Convention secretariat.

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[1] See document FCCC/CP/1999/6/Add.1.

6. Reciprocal action was taken by the General Assembly at its fiftieth session (see General Assembly resolution 50/115 of 20 December 1995, and especially operative paragraphs 2-3 and 9-10 thereof).

7. In pursuit of the above decisions, the head of the Convention secretariat is appointed by the Secretary-General and is accountable to the Conference of the Parties. He reports to the Secretary-General of the United Nations on administrative matters through the Under-Secretary-General for Management, and on other matters through the Under-Secretary-General for Economic and Social Affairs.

8. No significant changes have since taken place in the substantive linkage. As regards administrative matters, the Executive Secretary has functioned within the scope of a broad delegation of authority which, over the years, and as reported to the Conference of the Parties at its fifth session, has adapted to changing circumstances and has resulted in a steadily greater assumption of administrative responsibility by the Convention secretariat. At the same time, and in consultation with the United Nations, a progressively larger portion of the administrative support charges levied for the reimbursement of administrative servicing costs has been re-allotted to the Convention secretariat.

9. It is felt that the institutional linkage, as explained below, has proven to be a useful tool in managing the Convention secretariat and has allowed flexibility in adapting to changing circumstances. It is therefore recommended that it be maintained for a further five-year period, subject to review not later than 31 December 2006.

10. Thus, as regards substantive support, the Executive Secretary will continue to benefit from the advice and policy support provided by the Department of Economic and Social Affairs and, through that department, from other programmes involved in different aspects of sustainable development. This linkage will, for example, enable the Convention secretariat to participate actively in the preparations for the forthcoming World Summit on Sustainable Development.

11. This arrangement will, as in the past, allow the Executive Secretary to maintain and further develop cooperation with other United Nations bodies for supporting the implementation of the Convention, such as with the United Nations Development Programme, the United Nations Environment Programme, the United Nations Institute for Training and Research, and others. Furthermore, arrangements to cooperate with other conventions, such as with the Convention on Biological Diversity and the Convention to Combat Desertification can continue and further develop in this framework.

12. As regards administrative support, the Executive Secretary, in agreement with the Department of Management, has gradually taken over most of the responsibility for financial and personnel administration of the Convention secretariat. A substantial part of the support costs is currently re-allotted back to the secretariat by way of financing specific posts or other administrative requirements of the secretariat. The remainder covers the cost of providing audit, payroll, investment, treasury and accounting services by the United Nations Office at Geneva. Further adjustments to this pattern are being considered, as necessary, as the Convention secretariat seeks to ensure self-sufficiency in administrative matters.

13. The objective, jointly pursued by the Department of Management and the Convention secretariat, has been to more clearly define the responsibilities of the Executive Secretary, in administrative matters, as well as his accountability respectively to the Conference of the Parties and to the Secretary-General. Thus, responsibility for authorizing and providing travel arrangements for the Convention staff is now vested in the Executive Secretary. He, or selected officers to whom he has delegated authority, either certify financial obligations or approve payments for goods received and services rendered. The Executive Secretary has broad authority, comparable to that of the head of a major programme at the United Nations, to approve purchases of equipment and services. On the personnel side, the administration of the Staff Rules in respect of staff of the Convention secretariat (including staff entitlements) rests with the Executive Secretary. The Secretary-General of the United Nations continues to retain his authority in disciplinary and appeal matters. On the financial side, audit, payroll, investment, treasury and accounting are provided on a cost-per-service basis by the United Nations Office at Geneva; in regard to accounting services, it is envisaged that this responsibility will also be transferred to the Convention secretariat before the end of 2002. In addition, the Department of Management provides, on request, advice on policy matters and on specific administrative issues.

14. In summary therefore, it is considered that the institutional linkage of the Convention secretariat to the United Nations, and the related administrative arrangements as they have developed, have provided and continue to provide a sound basis for the day-to-day functioning of the Convention secretariat. They clearly define the accountability of the Executive Secretary to the Conference of the Parties and to the Secretary-General and, at the same time, delineate the responsibility of the United Nations for providing the necessary support services as well as advice to the Executive Secretary when requested.

III. RECOMMENDATION

15. Accordingly the Secretary-General recommends that the General Assembly and the Conference of the Parties approve the continuation of the current institutional linkage, and related administrative arrangements, for a further five year period, to be reviewed by both bodies not later than 31 December 2006.

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